

REMARKS

By this amendment, claims 1, 13, and 25 have been amended. These amendments are made to more clearly recite the claimed invention, do not add prohibited new matter and are fully supported by the specification. Reconsideration and withdrawal of the rejections set forth in the outstanding Office Action are respectfully requested in view of the following remarks.

Objection to the Specification

The Office Action objects to the specification, alleging that the specification does not disclose a “computer-readable medium on which a data processing program is recorded,” as recited in claim 25. Applicants note that the specification clearly describes that the subject invention may operate in the form of a computer-executable software stored in a computer-readable medium. Specifically, paragraph [0130] of Applicants’ specification, published as U.S. Patent Application Publication No. 2007/0174334 indicates that:

“[P]art or whole of functions of the data processing apparatus may be realized by software that can be executed by a computer. This software may be a program to be executed by a computer, and the program may be stored and provided via a computer readable information recording medium.”

In addition, at various points through the specification, Applicants suggest that the subject invention may be used in association with a “personal computer” or “software of a personal computer” (see, for example, paragraphs [0003], [0007], [0083] and [0085] of Applicants’ published application). One of ordinary skill in the art would understand that the subject invention may be embodied in a tangible computer-readable medium, executed by a computer and designed to perform the claimed data processing.

Accordingly, Applicants submit that the specification supports the “computer readable medium” recited in claim 25, and respectfully request withdrawal of the objection.

Claim Rejections under 35 U.S.C. § 103(a)

The Office Action rejects claims 1-25 under 35 U.S.C. § 103(a) as being unpatentable over MATSUSHIMA et al. (U.S. Patent Application Publication No. 2002/0165825 A1) in view of GOTOH et al. (U.S. Patent Application Publication No. 2003/0133368 A1). Applicants respectfully traverse the grounds of the rejection.

Initially, Applicants note that the claims recite (using claim 1 as a non-limiting example):

A data processing apparatus for reading from a recording medium a content which is stored in a specified recording area of the recording medium and playing back the read content, the recording medium storing according to a specified format contents and management information of the contents, the data processing apparatus comprising:

a content processor that reads management information from the recording medium, and reads the content according to the management information from the recording medium to process the read content;

a search section that, when the content processor reads a content, searches, for the content, out of a specified search range, which is defined according to the specified format as a range for storing contents to be reproduced, if the content to be read is managed by the management information but not present in the specified recording area;

a link information setting section; and

a management information storing section that stores the management information which is read from the recording medium, using an identification number specific to the recording medium, so that the management information can be managed,

wherein when the content is found by the search section, the link information setting section updates the link information for relating the recording area of the found content to the specified recording area so as to enable access to the content with the management information.

The Office Action alleges that MATSUSHIMA teaches the claimed data processing apparatus, link information setting section, and management information storing section. The Examiner acknowledges that MATSUSHIMA does not disclose the claimed search section. However, the Examiner asserts that GOTOH discloses this feature of the claimed invention. Thus, the Examiner asserts that the claimed invention is rendered obvious by the combination of GOTOH and MATSUSHIMA.

However, based on Applicants' review of the cited art, MATSUSHIMA and GOTOH fail to disclose or render obvious all of the elements of the claimed invention. Applicants note that, when the claimed search section retrieves content, which is managed by the management information but not present in the specified recording area, the claimed link information section subsequently "updates the link information for relating the recording area of the found content to the specified recording area so as to enable access to the content with the management information" (*see* paragraphs [0057-0058]; Fig. 7, S57 of Applicants' specification). This is accomplished by placing a link or "shortcut" under the initial designated position to redirect the content processor to the new location, as shown in Figures 8, 9 and 10 (*see also* paragraph [0087] of Applicants' specification). Thus, in the next playback, the content processor is redirected to the new location.

In MATSUSHIMA, Figures 20 and 21 show a package directory for storing SDMI protected content and package contents (*see* paragraph [0131] of MATSUSHIMA). However, MATSUSHIMA does not update the content location or create a link to the new location when a content of the recording medium is relocated. Thus, Applicants submit that MATSUSHIMA does not disclose the claimed link information setting section, as suggested by the Examiner

Furthermore, the search mechanism in GOTOH serves vastly different purposes and under no circumstances resembles the claimed search section. GOTOH "convert[s] the [document or image] output file [from a computer] into moving picture format data to display the contents of the output file per page," thus "making it possible to create an information recording medium where information is recorded in such a way that the contents of recorded files can be read out even in an environment devoid of a computer" (*see* paragraphs [0012] and [0014] of GOTOH). GOTOH displays still-image data in each frame, and may even convert a text file into

audio format data for reading out the content. GOTOH also compiles a moving picture or audio searching index for searching the content of a specified format data, allowing the user to conveniently skip through segments of the audio or video content and gain quick access to a specified data within the recording medium.

However, Applicants submit that the search mechanism in GOTOH does not disclose all of the limitations of the claimed search section. Specifically, the “search index” in GOTOH does not verify if a content is present at the specified area; it also does not search for the missing content when it is not present at a position designated by the search index. As a result, the index searching mechanism in GOTOH fails to search “if the content to be read is managed by the management information but not present in the specific recording area,” as recited in the claim 1 (emphasis added). For at least these reasons, Applicants submit that GOTOH fails to disclose the claimed search section, as suggested by the Examiner.

Similarly, neither MATSUSHIMA nor GOTOH discloses the data processing method in claim 13 or the computer-readable medium in claim 25 since the cited publications do not initiate a search “if the determined content does not exist in the specified recording area” or update the link information “when the determined content is found,” as recited in claim 13.

In view of the aforementioned deficiencies of MATSUSHIMA and GOTOH, Applicants submit that one skilled in the art would not have guidance to arrive at the claimed invention (recited in claims 1, 13, and 25). Thus, Applicants submit that MATSUSHIMA and GOTOH (either alone or in any proper combination) fails to disclose or render obvious all of the elements of the claimed invention, and respectfully request withdrawal of the rejections under 35 U.S.C. § 103(a).

SUMMARY AND CONCLUSION

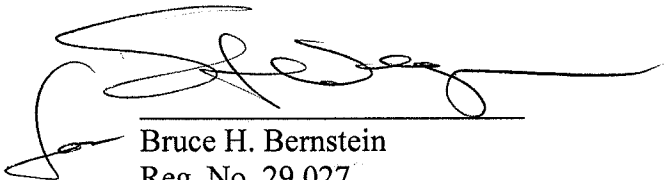
In view of the foregoing, it is submitted that the Examiner's rejections should be withdrawn. Entry and consideration of the present amendment, reconsideration of the outstanding Office Action, and allowance of the present application and all of the claims therein are respectfully requested are now believed to be appropriate.

Applicants note that this amendment is being made to advance prosecution of the application to allowance, and should not be considered as surrendering equivalents of the territory between the claims prior to the present amendment and the amended claims. Further, no acquiescence as to the propriety of the Examiner's rejections is made by the present amendment. All other amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Although it is within the discretion of the Examiner to enter amendments made after a Final Office Action, Applicants submit that the amendments do not raise new issues, and should not necessitate a new search, as the claim amendments merely clarify that which was argued in the last filed response. Therefore, Applicants respectfully request that the Examiner enter the present response. Applicants have made a sincere effort to place the present invention in condition for allowance and believe that they have now done so.

If the Examiner has any questions or comments regarding this response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully Submitted,
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